

## WARREN COUNTY BOARD OF SUPERVISORS

### COMMITTEE: JOINT MEETING - HEALTH SERVICES AND PERSONNEL

**DATE:** MARCH 17, 2009

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#### HEALTH SERVICES

##### COMMITTEE MEMBERS PRESENT:

SUPERVISORS SOKOL  
THOMAS  
CHAMPAGNE  
O'CONNOR  
PITKIN

##### COMMITTEE MEMBERS ABSENT:

SUPERVISORS SHEEHAN  
STRAINER

#### PERSONNEL

##### COMMITTEE MEMBERS PRESENT:

SUPERVISORS KENNY  
VANNESS  
BELDEN  
TESSIER

##### OTHERS PRESENT:

BARBARA TAGGART, ADMINISTRATOR OF THE WESTMOUNT HEALTH FACILITY  
FREDERICK MONROE, CHAIRMAN OF THE BOARD  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES  
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES  
JOAN SADY, CLERK OF THE BOARD  
SUPERVISOR GERAGHTY  
AMY BARTLETT, FIRST ASSISTANT COUNTY ATTORNEY  
RICK KELLY, PERSONNEL OFFICER  
TODD LUNT, HUMAN RESOURCES DIRECTOR  
BUD YORK, SHERIFF  
PAT AUER, DIRECTOR OF PUBLIC HEALTH  
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

##### COMMITTEE MEMBER ABSENT:

SUPERVISOR STEC

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Mr. Sokol called the joint meeting of the Health Services and Personnel Committees to order at 9:00 a.m.

Copies of documentation regarding staffing at the Westmount Health Facility were distributed to the Committee members, a copy of which is on file with the minutes.

Mr. Sokol said he felt the members of both Committees were in agreement that they did not want to compromise the care given at the Westmount Health Facility, which was currently exemplary. He noted that the inability to maintain staffing had been an issue for some time and he said that he did not agree with the use of overtime to account for a lack of staff as it negatively affected those employees who were constantly called upon to cover the unstaffed shifts. Mr. Sokol said that he was in favor of amending the current hiring freeze policy to allow Barbara Taggart, Administrator of the Westmount Health Facility, to hire viable candidates to fill any vacant mandated CNA (Certified Nursing Assistant), LPN (Licensed Practical Nurse) and RN (Registered Nurse) positions without first seeking Committee approval. He added that the current policy required Ms. Taggart to seek the approval of the Health Services and Personnel Committees, as well as the full Board of Supervisors which delayed the process considerably. Mr. Sokol stated that Ms. Taggart was very mindful of the current hiring freeze policy and she was in no way attempting to create new positions, she simply desired to keep service at a premium while maintaining Departmental costs by not expending overtime dollars. He added that Ms. Taggart would not take advantage of the policy and any position she felt might hinder the policy would be brought to the Health Services and Personnel Committees for approval. Mr. Sokol concluded that the request had been previously approved by the Health Services Committee but had been denied by the Personnel Committee.

Ms. Taggart noted that Patty Fiore, Assistant Director of Nursing, who oversaw staffing for the Facility, was also in

attendance to assist in answering questions. Ms. Taggart then proceeded in reviewing the staffing documentation distributed at the start of the meeting, during which she noted that the request to alter the hiring freeze policy would allow her to maintain staffing as required by State law, and funded in the 2009 Budget. She said that the health and well being of the 80 Westmount residents was the top priority of the management and staff of the Westmount Health Facility. Ms. Taggart advised that as a skilled nursing facility, Westmount was required to provide 24 hour, seven day a week care for their residents and those positions included in the 2009 budget were in place to maintain adequate staffing throughout the facility as required by law. She apprised that there were currently two nursing units, each of which cared for forty residents, and were spread out amongst three different shifts. Ms. Taggart said that there were two CNA vacancies on the 3:00 p.m. to 11:00 p.m. shift, one of which was due to a workers compensation issue. She noted that although per diem services were used whenever possible, they were not always available and there were many times when CNA overtime was used to cover shifts as necessary. Ms. Fiore pointed out that CNA overtime was not cost effective as higher pay rates resulted during these events. She added that the overtime pay was dependent upon the year in which an employee started with the County in light of their accumulated longevity; for example, she said, an employee that started in 1995 might make \$15.16 per hour during regular hours and would increase to \$22.74 for overtime hours, while newer employees made less. Ms. Fiore stated that the document regarding Westmount staffing included a chart listing pay by the year employed.

Ms. Taggart stated that if they were unable to fill the positions already budgeted for in 2009, they would need to contract with nursing agencies which she did not recommend as the quality of care and consistency of staff currently available would be compromised. She noted that the Westmount employees had good relationships with the residents and were like family members to them. Contracting with a nurse agency would erode these relationships, Ms. Taggart said.

Ms. Fiore apprised that there was a policy in place for mandatory overtime; however, she said, they tried to refrain from implementing it as there were many employees that had second jobs or child care issues who could not work the overtime shifts mandated.

Mr. Pitkin asked if a comparison of the overtime costs incurred in 2009 as opposed to those in 2008 was available and Ms. Taggart replied in the negative. She noted that it was not far enough into the year to get a clear picture of the overtime used, although she estimated that the amount used so far in 2009 was comparable to that used in 2008.

Mr. Belden questioned how many positions were currently vacant and Ms. Taggart replied that there were two vacant CNA positions on the 3:00 p.m. to 11:00 p.m. shift, one of which was that of a person out of work with a worker's compensation injury. Ms. Fiore added that there was another vacancy on the 11:00 p.m. to 7:00 a.m. shift due to a disability injury. Ms. Taggart stated that she had a viable candidate for the vacant CNA position on the 3:00 p.m. to 11:00 p.m. shift whom she wanted to consider further; she added that if she was unable to hire the candidate in the near future that person would likely be hired by another facility. She advised that there were not very many applicants for the CNA positions and those that they chose to interview had to be reviewed very carefully to ensure that they were obtaining the best possible employees for the Facility.

Mr. Kenny said that he was confused with the present issue as he was a member of the Personnel Committee and had been involved in prior discussions on the matter. He advised that the Personnel Committee had not determined that the vacant CNA positions would not be filled; they had simply decided that Ms. Taggart would be required to follow the same process as all other Departments in seeking the approval of their Committee, the Personnel Committee and the Board of Supervisors prior to filling any positions. He then questioned what procedures had been used in the past to fill vacant CNA positions and Ms. Taggart replied that prior to the hiring freeze they had

been allowed to fill the positions without Committee approval as necessary due to State mandates and the long process necessary to determine eligible candidates. Mr. Kenny stated that there were similar problems in other Departments, such as the Sheriff's Office whose newly hired employees required extensive training before they could actually fill shifts, and he did not understand why the hiring policies should be altered for Westmount and no other Department.

Mr. O'Connor stated that the Westmount residents were the responsibility of Warren County and they had a duty to provide the constant care these patients required. He said that other Departments did not have the same responsibilities to care for human lives which made the Westmount Health Facility unique. Mr. O'Connor stated that if one reviewed the figures included in the documentation provided by Ms. Taggart it was easy to see that there was a problem with employee turnover at Westmount which required special consideration and policies in order to maintain quality of care.

Mr. Champagne stated that although he was in complete support of the hiring freeze, he felt that there were some critical employees that had to be maintained, such as those working at the Westmount Health Facility. He said that there had been issues in the past when Westmount residents had been injured because they had not received the proper care and he expressed his frustration that the Personnel Committee members did not seem to grasp the severity of the situation and the need to maintain staff for these critical positions. He then cited that the CNA staff did not receive salaries as high as some Sheriff's Office employees or the Public Health Nurses which contributed to the high turnover rate, especially in light of the increasing workloads caused by the inability to maintain appropriate staffing levels.

Mr. O'Connor stated that although the Sheriff and Public Health staff were important, they were not as critical as the Westmount staff because those employees were directly responsible for the health and well being of Westmount residents who could not otherwise care for themselves.

Discussion ensued.

Mr. VanNess stated that although he had initially been opposed to waiving the hiring freeze policy as it applied to the Westmount Facility, after discussing the matter with members of the Health Services Committee, he now agreed that a waiver was necessary to the function of the Facility. With respect to other Departments requesting similar changes to their hiring policies, Mr. VanNess stated that the Committees would have to review each request and use their best discretion to make the appropriate judgements. He noted that although he did not necessarily agree that the County should be running the Westmount Health Facility to begin with, he felt that if they were going to do it they should do it right.

Bud York, Warren County Sheriff, addressed the Committee, stating that he had no issue with the current hiring freeze policy and would not object to the changes requested for Westmount as they had a considerably different need than his Department. He added that he did not intend to request a similar allowance for his Department and he suggested that the Committees approve a waiver in the hiring freeze policy for Westmount as requested by Ms. Taggart and address all other similar Departmental requests in the future on a case by case basis.

Pat Auer, Director of Health Services, agreed with Sheriff York's statement and added that although the Public Health Department had the same potential for staff turnover as Westmount, she would not request any allowances in the hiring freeze procedures as she had the availability of per diem help when necessary. She apprised that she had begun her nursing career at the Westmount Health Facility and understood the issues they faced. Mrs. Auer said that if there was a new employee that was given additional responsibilities due to a lack of staffing they might

become discouraged or uncomfortable and leave the position without any notice. She added that staffing issues might become more prevalent as they were seeing an increasing number of patients through public health visits who were becoming unable to care for themselves and would be transferred to institutions such as Westmount.

Mr. Champagne thanked both Sheriff York and Mrs. Auer for their statements in support of the request, as well as their assurances that they would not seek similar concession.

Mr. Kenny questioned the procedure used when a CNA left their position and Ms. Taggart replied that they had to advertise the position then research and interview each acceptable candidate to be sure that they were hiring the right people to work at Westmount. Mr. Kenny suggested that it might be better to establish a listing of acceptable individuals to hire from as positions opened and Mr. Champagne responded that this was not conceivable because it was difficult to find people to fill the positions and was not likely that they would find enough to develop a list. Mr. Champagne added that the major concern was the delay the new procedures caused when filling CNA, LPN and RN positions, such as when a position was vacated following a Board meeting. In that case, he said, Ms. Taggart would have to wait a full month until the next Board meeting to gain authorization to advertise the position, followed by the time it took to appropriately interview and research each applicants credentials. He concluded that the positions were left vacant far too long by this policy.

Subsequent to further discussion on the matter, motion was made by Mr. Pitkin, seconded by Mr. Champagne and carried unanimously by the Health Services Committee to authorize Ms. Taggart to fill minimum CNA, LPN and RN positions to maintain adequate staffing at the Westmount Health Facility.

The same motion was then made by Mr. VanNess, seconded by Mr. Belden and carried unanimously by the Personnel Committee, thereby satisfying the 2/3 majority vote requirement stated in the hiring freeze policy, and the necessary resolution was authorized for the March 20<sup>th</sup> Board meeting.

As there was no further business to come before either the Health Services or Personnel Committees, on motion made by Mr. Pitkin and seconded by Mr. Champagne, Mr. Sokol adjourned the meeting at 9:25 a.m.

Respectfully submitted,  
Amanda Allen, Sr. Legislative Office Specialist